

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

Case No. 13-cv-12229

HON. BERNARD A. FRIEDMAN

vs.

JOHN DOE,

Defendant.

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**ORDER GRANTING PLAINTIFF'S MOTION FOR LEAVE
TO SERVE THIRD-PARTY SUBPOENA**

Plaintiff has filed a motion [docket entry 2] for leave to serve a third-party subpoena prior to a Rule 26(f) conference. For cause shown,

IT IS ORDERED that plaintiff's motion for leave to serve a third-party subpoena prior to a Rule 26(f) conference is granted.

IT IS FURTHER ORDERED that plaintiff will be permitted to obtain the identity of the unnamed defendant by serving a Rule 45 subpoena on the Internet Service Provider ("ISP"). The subpoena shall seek information sufficient to identify the defendant, including name, current and permanent addresses, telephone numbers, e-mail addresses and Media Access Control addresses. Any information disclosed to plaintiff in response to the Rule 45 subpoena may not be disclosed to anyone without an order of this Court and may only be used for the exclusive purpose of protecting plaintiff's rights as set forth in the complaint.

IT IS FURTHER ORDERED that the ISP shall give written notice, which may include e-mail notice, to the unnamed defendant within 10 business days of the receipt of service of the subpoena. The ISP shall also include a copy of this order with its written notice. The ISP and/or unnamed defendant may move to quash the subpoena before the return date of the subpoena, which shall not be less than 45 days from the date of service. The ISP shall preserve and not disclose any subpoenaed information pending the resolution of a timely filed motion to quash.

IT IS FURTHER ORDERED that plaintiff shall provide a copy of this order to the ISP upon service of the subpoena.

Dated: August 7, 2013
Detroit, Michigan

s/ Bernard A. Friedman_____
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE